

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

## **MEMORANDUM AND ORDER**

This matter is before the Court on movant's motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255. Movant seeks relief from the judgment in United States v. Williams, 4:12CR369 JCH (E.D. Mo.). Although he was found guilty by a jury to Counts 1-5 of the indictment, movant has not yet been sentenced to a term of imprisonment. Id. As such, movant's § 2255 motion has been prematurely filed. As a result, the Court will dismiss this action without prejudice to refiling after the criminal judgment becomes final.

Accordingly,

**IT IS HEREBY ORDERED** that movant's motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255 is **DISMISSED** without prejudice.

An Order of Dismissal will accompany this Order.

Dated this 5th day of May, 2014.

/s/Jean C. Hamilton  
JEAN C. HAMILTON  
UNITED STATES DISTRICT JUDGE